

LEROY D. BACA, SHERIFF

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



December 16, 2004

IAB File #2124971

Deputy Travis Morrow, #[redacted]

Dear Deputy Morrow:

On February 27, 2003, it was alleged that you used unnecessary deadly force on Suspect Jeremiah Williams, failed to broadcast notifications or the fact the suspect had a gun, and lied during the administrative investigation.

Pursuant to this complaint, your Division Chief requested that the Internal Affairs Bureau conduct an independent investigation into this matter.

Based on facts developed by the Internal Affairs Bureau, it has been determined that the allegation you used unnecessary deadly force is **unfounded**; however, the allegations you failed to broadcast notifications and lied during the investigation are **unresolved**.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Karyn Mannis, Captain
Commander, Internal Affairs Bureau

cc: James Lopez, Captain
Century Station

A Tradition of Service

761551N25A - SH-AD (11/90)

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

DATE: December 10, 2004

OFFICE CORRESPONDENCE FILE:

FROM: KENNETH J. BRAZILE, COMMANDER
COMMANDER OF THE DEPARTMENT

TO: JAMES R. LOPEZ, CAPTAIN
CENTURY STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS NON-HIT SHOOTING, FEBRUARY 27, 2003, REVIEW #2124971 (aka #2082885)**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on February 27, 2003.

The Committee met on December 9, 2004, and consisted of myself and Commander Thomas Angel (FOR III) and A/Commander Karyn Mannis (Internal Affairs Bureau). The Committee deemed:

- as **Unresolved** the allegation that Deputy Travis Morrow #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, and
- as **Unfounded** the allegation that Deputy Travis Morrow [redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/025.30, Use of Firearms and Deadly Force, and
- as **Unresolved** the allegation that Deputy Travis Morrow [redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/040.75, Failure to make Statements and/or Make False Statements During Departmental Internal Investigations, and
- as **Unresolved** the allegation that Deputy [redacted] #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/040.75, Failure to Make Statements and/or Making False Statements During Departmental Internal Investigations.

KJB:KRK:kk

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LOS ANGELES COUNTY DISTRICT ATTORNEY **CHARGE EVALUATION WORKSHEET**	☐ Further investigation requested. ☐ Probation Violation in lieu of filed. ☒ Prosecution declined.	DA CASE NO. 41630651 POLICE CASE NO. (DR OR URN NO.) 003-03858-2132-055	Page 1 of 5 Date: February 5, 2004 DA OFFICE CODE J.S.I.D. 03-0157R

SUSPECT DATA

NO.	SUSPECT NAME	BKNG NO.	CHARGE	REASON
01	MORROW, TRAVIS	N.I.C.	PC149 PC141	B - Insufficient evidence B - Insufficient evidence

DESCRIPTION
SEE ATTACHED.

STEVE COOLEY District Attorney	COMPLAINT DEPUTY (PRINT) LINDA SUE REISZ/ap	DEPUTY CODE [redacted]	COMPLAINT DEPUTY (SIGNATURE) Linda Reisz	REVIEWING DEPUTY Mark Ashen

In submitting this matter for consideration of a complaint, written reports of substantially all available evidence (except as to the oral information, if any, purporting to have been given by me and which is fully and correctly stated above) have been submitted to the above-named Deputy (copies of which are attached hereto) except the following:

The disposition of this matter will be final unless the commanding officer requests reconsideration of the case, stating his reasons on the back of this form.

MAILED 02/11/04

OFFICER - DETECTIVE J. LESLIE

LASD - I.C.I.B.

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of allegations that Los Angeles Sheriff's Deputy Travis Morrow, [redacted] committed an assault under color of authority, a violation of Penal Code Section 149, and that unknown deputies intentionally altered physical matter at a crime scene, a violation of Penal Code Section 141. For the reasons set forth below, this office declines to initiate criminal proceedings in this matter.

FACTUAL ANALYSIS

The following analysis is based on reports submitted to this office on December 3, 2003, by Detectives Leslie and Martinez of the Los Angeles Sheriff's Department, Homicide Bureau. We have considered the voluntary statements made by the deputies interviewed in connection with this matter.

On February 28, 2003, [redacted] made a complaint concerning the deputies conduct in this matter to Deputy Probation Officer [redacted] during his intake evaluation at Los Padrinos Juvenile Hall. Although he declined to discuss the facts of his arrest, he stated that he was not armed during the incident and that one or more deputies took his shoes and placed his footprints at the crime scene. Mr. [redacted] stated to investigators that he considered this allegation to be a ruse to avoid prosecution, but he was mandated to report [redacted] complaint.

On February 27, 2003, Century Station Deputies Travis Morrow and Ronald Kopperud were assigned to patrol the Willowbrook area of Los Angeles County. They received a radio call informing them of a home burglary in progress at [redacted] The call indicated that one of the suspects was inside the home and the other appeared to be acting as a lookout in the front yard. Deputies John Dorsten and Robert Sanchez arrived to assist Deputies Morrow and Kopperud.

Upon their arrival, the deputies observed a suspect, later identified as Tyrone Edwards, standing in the front yard. Edwards stood on the front porch of the house, poking his head toward the front door, walking back and forth on the porch and sitting down near the porch. The deputies detained him without incident.

The deputies then heard the sound of glass breaking at the rear of the house and observed seventeen-year-old [redacted] emerge from a window and fall to the backyard. [redacted] stood and ran from the house, with Deputy Morrow in pursuit. Deputy Morrow chased [redacted] as he jumped over the rear wall of the backyard. Deputy Morrow stood on a doghouse adjacent to the wall and could see [redacted] in the adjacent backyard where Deputies Dorsten and Sanchez had tactically deployed. Deputy Sanchez observed [redacted] concealing his hands in his sweatshirt at waist level as if he were holding an object. Deputy Sanchez yelled, "Stop. Freeze. Show me your hands." [redacted] ran from Deputies Dorsten and Sanchez toward Deputy Morrow. Deputy Morrow observed

[redacted] holding a large caliber semiautomatic handgun in his right hand and yelled, "Let me see your hands. Sheriff's Department, show me your hands."

Deputy Morrow observed [redacted] looking at him as he ran toward him with his right arm raised, pointing the gun toward him. Believing that [redacted] intended to shoot him, Deputy Morrow fired four rounds from his service revolver at [redacted] turned and ran through several backyards and across streets, ultimately hiding in the year yard located at [redacted] The deputies contained the area and located [redacted] with the help of a police dog. He was taken into custody after a brief struggle, during which the dog bit [redacted] on his arm. When the deputies detained [redacted] he was wearing a Reebok tennis shoe on his right foot. Investigators searched the area in an attempt to locate the left shoe, but were unsuccessful.

During a search of the crime scene, a gun that had been taken during the residential burglary was located inside a trashcan in the rear yard of [redacted] later positively identified the handgun as having been taken from a drawer in his nightstand. He stated that a pager and jewelry appeared to have been stolen, as well. Investigators also located footprints in a yard located immediately to the west of the backyard in which the handgun was located. Although the Scientific Services Bureau photographed the shoe impressions bearing the imprint of "Reebok," investigators did not request a comparison with [redacted] shoes. Imprints of shoes worn by Tyrone Edwards were located in the mud and dirt in the front yard of the burglarized home.

[redacted] was transported to Martin Luther King Junior Hospital. Dr. Rudd, the treating physician, stated to investigators that [redacted] sustained a laceration to his left hand that did not appear to be a gunshot wound.

Investigators interviewed the residents of [redacted] and [redacted] Each individual stated that they heard gunshots and then observed two African-American young men running from the direction of the gunshots. Each stated that one of the men was holding a navy blue shirt in his hands and asked for a trashcan. Each witness refused to aid the two young men, telling them to "Get out of here" and "Get the fuck away from here," respectively.

Investigators interviewed [redacted] who stated that he had been sent home from school because he wore gang colors and he instead met up with his friends Tyrone and W.C. He admitted to being at the location and stated that it was W.C. who broke the window and entered the residence. He stated that he never entered the residence and, instead, remained outside in the driveway "looking out for cars" at W.C.'s direction. [redacted] conceded that he ran from the deputies, scaling a wall, and encountering additional deputies from whom he ran. After he ran away from the additional deputies, Deputy Morrow shot at him. [redacted] stated that he did not possess a handgun and also denied being in the area in which the handgun was found. [redacted] stated that he hid

from the deputies for approximately one hour and did not intend to "give himself up," even after he heard the announcement concerning the canine.

Tyrone Edwards stated to investigators that he and [redacted] saw Edward's [redacted] inside the house. [redacted] told him to "hold on" so he sat on the front porch until the police arrived. Edwards saw the deputy shoot his [redacted] as the deputy stood in the driveway. Edwards stated that he was unaware that a burglary had taken place.

A third suspect, Curtis Wynn, was identified and interviewed in June of 2003. He stated to investigators that he and [redacted] entered the residence together. Wynn recovered a handgun in a drawer and handed it to [redacted] He stated that, when the police arrived, [redacted] passed the gun to him as he climbed out of the window and ran from the police, jumping over a fence. Wynn stated that he dropped the gun "right there" by the house before he jumped over a fence.

CONCLUSION

Insufficient evidence exists upon which to base criminal charges against any of the deputies involved in this investigation, including Deputy Morrow. The reports mention [redacted] tennis shoes only briefly, including a discussion of the search for the missing tennis shoe. Although shoe prints were photographed, there was no additional analysis performed linking the photographs to a particular shoe. There is no evidence to support the claim that members of the Sheriff's Department "planted" shoe prints, especially given that they made no use of the prints in their investigation.

According to the law in California, the use of deadly force in self-defense is justifiable if the person claiming the right to use self-defense actually and reasonably believed (1) that he or she was in imminent danger of death or great bodily injury, and (2) that it was necessary under the circumstances to use deadly force to avoid such imminent death or great bodily injury. Actual danger is not necessary to justify self-defense. If one is confronted by the appearance of danger which arouses in his mind a reasonable actual belief and fear that he is about to suffer great bodily injury and he acts in self-defense upon such an appearance and from fear and actual belief, the person's right of self-defense is the same whether the danger is real or merely apparent. (People v. Jackson (1965) 233 Cal. App. 2d 639: CALJIC 5.51)

The evidence gathered in this investigation shows that [redacted] having just fled from a residence in which a handgun was indeed stolen, was chased by Deputy Morrow, encountered assisting deputies and turned back to run toward Deputy Morrow. One of the assisting deputies observed [redacted] apparently holding an object under his sweatshirt near his waistband. As [redacted] was "cornered," Deputy Morrow stated that he observed [redacted] point a handgun at him. Given the appearance of a rapidly evolving, immediately life-threatening situation confronting Deputy Morrow, he was

justified in using lethal force and it is the conclusion of this office that he acted lawfully in self-defense.

We decline to initiate criminal proceedings against Deputy Morrow. We are closing our file and will take no further action in this matter.